

## **Remarks/Arguments**

### **A. Status of the Claims**

Claims 13-15, 17-21, and 41-44 are revised to delineate essential amino acids from non-essential amino acids (claims 13-15), reflect that the amount of the claimed ingredients are by weight of the composition (claims 17-20 and 41-44), and to incorporate the composition of claim 1 into the method claims (claim 21). Claims 45-46 are added. Support for the revisions and new claims can be found throughout the specification and claims as originally filed. *See, e.g.*, specification at pages 8-13. Claims 21-44 are withdrawn from consideration at this time as directed to a non-elected invention which is discussed below.

Claims 1-46 are pending, with claims 21-44 being withdrawn from consideration.

### **B. Applicant's Response to the Restriction Requirement**

The Examiner requests restriction to one of the following two groups:

- I. Claims 1-20, drawn to a composition; and
- II. Claims 21-44, drawn to a method of treating aged or damaged skin.

Restriction Requirement at page 2.

Applicant elects the Group I claims for further prosecution. It is Applicant's position that claims 1-20 and 45-46 are within the Group I claims. Applicant reserves the right to rejoin the non-elected method claims (21-44). *See* page 5 of the Restriction Requirement.

### **C. Applicant's Response to the Species Election Requirement**

The Examiner requests Applicant to elect the following species for further prosecution:

- (a) a regulator of lipid metabolism;
- (b) a regulator of polysaccharide metabolism;
- (c) a regulator of cellular protein metabolism (either essential or non-essential amino acids); and
- (d) a regulator of nucleic acid metabolism.

Restriction Requirement at page 3.

In response, Applicant elects the following species:

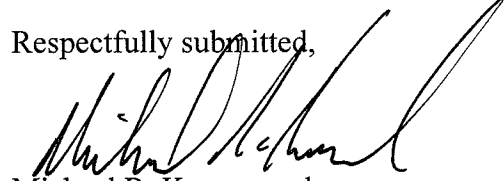
- (a) a regulator of lipid metabolism: glucose.
- (b) a regulator of polysaccharide metabolism: glucosamine.
- (c) a regulator of cellular protein metabolism: essential amino acid(s).
- (d) a regulator of nucleic acid metabolism: sodium bicarbonate.

Claims 1-14, 16-20, and 45-46 from Group I read on the elected claims. Applicant reserves the right to have non-elected species considered upon the allowance of a generic claim. *See* page 4 of the Restriction Requirement.

**D. Conclusion**

Applicant requests that substantive prosecution begin for the elected invention. Should the Examiner have any questions, comments, or suggestions relating to this case, the Examiner is invited to contact the undersigned Applicant's representative at (512) 536-3020.

Respectfully submitted,



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